

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NOS. 1105, 1062, 1111, 1113, & 1119

AN ACT

2 To repeal sections 301.010, 301.132, 301.190,
 3 301.219, 301.221, 301.681, 302.130, 302.171,
 4 302.173, 302.177, 302.181, 302.720, 302.735,
 5 304.012, 304.155, 306.458, 306.461, 307.100,
 6 407.567, 577.080, and 700.320, RSMo, and to
 7 enact in lieu thereof twenty-five new
 8 sections relating to motor vehicles, with
 9 penalty provisions.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
 11 AS FOLLOWS:

12 Section A. Sections 301.010, 301.132, 301.190, 301.219,
 13 301.221, 301.681, 302.130, 302.171, 302.173, 302.177, 302.181,
 14 302.720, 302.735, 304.012, 304.155, 306.458, 306.461, 307.100,
 15 407.567, 577.080, and 700.320, RSMo, are repealed and twenty-five
 16 new sections enacted in lieu thereof, to be known as sections
 17 301.010, 301.132, 301.190, 301.219, 301.221, 301.681, 302.130,
 18 302.171, 302.173, 302.177, 302.181, 302.720, 302.735, 304.012,
 19 304.021, 304.155, 306.458, 306.461, 307.100, 407.567, 577.080,
 20 700.320, 1, 2, and 3, to read as follows:

21 301.010. As used in this chapter and sections 304.010 to
 22 304.040, 304.120 to 304.260, RSMo, and sections 307.010 to

307.175, RSMo, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or

1 regularly used for carrying freight and merchandise, or more than
2 eight passengers but not including vanpools or shuttle buses;

3 (8) "Cotton trailer", a trailer designed and used
4 exclusively for transporting cotton at speeds less than forty
5 miles per hour from field to field or from field to market and
6 return;

7 (9) "Dealer", any person, firm, corporation, association,
8 agent or subagent engaged in the sale or exchange of new, used or
9 reconstructed motor vehicles or trailers;

10 (10) "Director" or "director of revenue", the director of
11 the department of revenue;

12 (11) "Driveaway operation", the movement of a motor vehicle
13 or trailer by any person or motor carrier other than a dealer
14 over any public highway, under its own power singly, or in a
15 fixed combination of two or more vehicles, for the purpose of
16 delivery for sale or for delivery either before or after sale;

17 (12) "Dromedary", a box, deck, or plate mounted behind the
18 cab and forward of the fifth wheel on the frame of the power unit
19 of a truck tractor-semitrailer combination. A truck tractor
20 equipped with a dromedary may carry part of a load when operating
21 independently or in a combination with a semitrailer;

22 (13) "Farm tractor", a tractor used exclusively for
23 agricultural purposes;

24 (14) "Fleet", any group of ten or more motor vehicles owned
25 by the same owner;

1 (15) "Fleet vehicle", a motor vehicle which is included as
2 part of a fleet;

3 (16) "Fullmount", a vehicle mounted completely on the frame
4 of either the first or last vehicle in a saddlemount combination;

5 (17) "Gross weight", the weight of vehicle and/or vehicle
6 combination without load, plus the weight of any load thereon;

7 (18) "Hail-damaged vehicle", any vehicle, the body of which
8 has become dented as the result of the impact of hail;

9 (19) "Highway", any public thoroughfare for vehicles,
10 including state roads, county roads and public streets, avenues,
11 boulevards, parkways or alleys in any municipality;

12 (20) "Improved highway", a highway which has been paved
13 with gravel, macadam, concrete, brick or asphalt, or surfaced in
14 such a manner that it shall have a hard, smooth surface;

15 (21) "Intersecting highway", any highway which joins
16 another, whether or not it crosses the same;

17 (22) "Junk vehicle", a vehicle which is incapable of
18 operation or use upon the highways and has no resale value except
19 as a source of parts or scrap, and shall not be titled or
20 registered;

21 (23) "Kit vehicle", a motor vehicle assembled by a person
22 other than a generally recognized manufacturer of motor vehicles
23 by the use of a glider kit or replica purchased from an
24 authorized manufacturer and accompanied by a manufacturer's
25 statement of origin;

1 (24) "Land improvement contractors' commercial motor
2 vehicle", any not-for-hire commercial motor vehicle the operation
3 of which is confined to:

4 (a) An area that extends not more than a radius of one
5 hundred miles from its home base of operations when transporting
6 its owner's machinery, equipment, or auxiliary supplies to or
7 from projects involving soil and water conservation, or to and
8 from equipment dealers' maintenance facilities for maintenance
9 purposes; or

10 (b) An area that extends not more than a radius of
11 twenty-five miles from its home base of operations when
12 transporting its owner's machinery, equipment, or auxiliary
13 supplies to or from projects not involving soil and water
14 conservation. Nothing in this subdivision shall be construed to
15 prevent any motor vehicle from being registered as a commercial
16 motor vehicle or local commercial motor vehicle;

17 (25) "Local commercial motor vehicle", a commercial motor
18 vehicle whose operations are confined solely to a municipality
19 and that area extending not more than fifty miles therefrom, or a
20 commercial motor vehicle whose property-carrying operations are
21 confined solely to the transportation of property owned by any
22 person who is the owner or operator of such vehicle to or from a
23 farm owned by such person or under the person's control by virtue
24 of a landlord and tenant lease; provided that any such property
25 transported to any such farm is for use in the operation of such

1 farm;

2 (26) "Local log truck", a commercial motor vehicle which is
3 registered pursuant to this chapter to operate as a motor vehicle
4 on the public highways of this state, used exclusively in this
5 state, used to transport harvested forest products, operated
6 solely at a forested site and in an area extending not more than
7 a fifty-mile radius from such site, carries a load with
8 dimensions not in excess of twenty-five cubic yards per two axles
9 with dual wheels, and is not operated on the national system of
10 interstate and defense highways described in Title 23, Section
11 103(e) of the United States Code, does not have more than four
12 axles and does not pull a trailer which has more than two axles.
13 A local log truck may not exceed the limits required by law,
14 however, if the truck does exceed such limits as determined by
15 the inspecting officer, then notwithstanding any other provisions
16 of law to the contrary, such truck shall be subject to the weight
17 limits required by such sections as licensed for eighty thousand
18 pounds. A local log truck that exceeds the limits required by
19 law shall be subject to the penalties established under section
20 304.240, RSMo;

21 (27) "Local transit bus", a bus whose operations are
22 confined wholly within a municipal corporation, or wholly within
23 a municipal corporation and a commercial zone, as defined in
24 section 390.020, RSMo, adjacent thereto, forming a part of a
25 public transportation system within such municipal corporation

1 and such municipal corporation and adjacent commercial zone;

2 (28) "Log truck", a vehicle which is not a local log truck
3 and is used exclusively to transport harvested forest products to
4 and from forested sites which is registered pursuant to this
5 chapter to operate as a motor vehicle on the public highways of
6 this state for the transportation of harvested forest products;

7 (29) "Major component parts", the rear clip, cowl, frame,
8 body, cab, front-end assembly, and front clip, as those terms are
9 defined by the director of revenue pursuant to rules and
10 regulations or by illustrations;

11 (30) "Manufacturer", any person, firm, corporation or
12 association engaged in the business of manufacturing or
13 assembling motor vehicles, trailers or vessels for sale;

14 (31) "Mobile scrap processor", a business located in
15 Missouri or any other state that comes onto a salvage site and
16 crushes motor vehicles and parts for transportation to a shredder
17 or scrap metal operator for recycling;

18 (32) "Motor change vehicle", a vehicle manufactured prior
19 to August, 1957, which receives a new, rebuilt or used engine,
20 and which used the number stamped on the original engine as the
21 vehicle identification number;

22 (33) "Motor vehicle", any self-propelled vehicle not
23 operated exclusively upon tracks, except farm tractors;

24 (34) "Motor vehicle primarily for business use", any
25 vehicle other than a recreational motor vehicle, motorcycle,

1 motortricycle, or any commercial motor vehicle licensed for over
2 twelve thousand pounds:

3 (a) Offered for hire or lease; or

4 (b) The owner of which also owns ten or more such motor
5 vehicles;

6 (35) "Motorcycle", a motor vehicle operated on two wheels;

7 (36) "Motorized bicycle", any two-wheeled or three-wheeled
8 device having an automatic transmission and a motor with a
9 cylinder capacity of not more than fifty cubic centimeters, which
10 produces less than three gross brake horsepower, and is capable
11 of propelling the device at a maximum speed of not more than
12 thirty miles per hour on level ground;

13 (37) "Motortricycle", a motor vehicle operated on three
14 wheels, including a motorcycle while operated with any
15 conveyance, temporary or otherwise, requiring the use of a third
16 wheel. A motortricycle shall not be included in the definition
17 of all-terrain vehicle;

18 (38) "Municipality", any city, town or village, whether
19 incorporated or not;

20 (39) "Nonresident", a resident of a state or country other
21 than the state of Missouri;

22 (40) "Non-USA-std motor vehicle", a motor vehicle not
23 originally manufactured in compliance with United States
24 emissions or safety standards;

25 (41) "Operator", any person who operates or drives a motor

1 vehicle;

2 (42) "Owner", any person, firm, corporation or association,
3 who holds the legal title to a vehicle or in the event a vehicle
4 is the subject of an agreement for the conditional sale or lease
5 thereof with the right of purchase upon performance of the
6 conditions stated in the agreement and with an immediate right of
7 possession vested in the conditional vendee or lessee, or in the
8 event a mortgagor of a vehicle is entitled to possession, then
9 such conditional vendee or lessee or mortgagor shall be deemed
10 the owner for the purpose of this law;

11 (43) "Public garage", a place of business where motor
12 vehicles are housed, stored, repaired, reconstructed or repainted
13 for persons other than the owners or operators of such place of
14 business;

15 (44) "Rebuilder", a business that repairs or rebuilds motor
16 vehicles owned by the rebuilder, but does not include
17 certificated common or contract carriers of persons or property;

18 (45) "Reconstructed motor vehicle", a vehicle that is
19 altered from its original construction by the addition or
20 substitution of two or more new or used major component parts,
21 excluding motor vehicles made from all new parts, and new
22 multistage manufactured vehicles;

23 (46) "Recreational motor vehicle", any motor vehicle
24 designed, constructed or substantially modified so that it may be
25 used and is used for the purposes of temporary housing quarters,

1 including therein sleeping and eating facilities which are either
2 permanently attached to the motor vehicle or attached to a unit
3 which is securely attached to the motor vehicle. Nothing herein
4 shall prevent any motor vehicle from being registered as a
5 commercial motor vehicle if the motor vehicle could otherwise be
6 so registered;

7 (47) "Rollback or car carrier", any vehicle specifically
8 designed to transport wrecked, disabled or otherwise inoperable
9 vehicles, when the transportation is directly connected to a
10 wrecker or towing service;

11 (48) "Saddlemount combination", a combination of vehicles
12 in which a truck or truck tractor tows one or more trucks or
13 truck tractors, each connected by a saddle to the frame or fifth
14 wheel of the vehicle in front of it. The "saddle" is a mechanism
15 that connects the front axle of the towed vehicle to the frame or
16 fifth wheel of the vehicle in front and functions like a fifth
17 wheel kingpin connection. When two vehicles are towed in this
18 manner the combination is called a double saddlemount
19 combination. When three vehicles are towed in this manner, the
20 combination is called a triple saddlemount combination;

21 (49) "Salvage dealer and dismantler", a business that
22 dismantles used motor vehicles for the sale of the parts thereof,
23 and buys and sells used motor vehicle parts and accessories;

24 (50) "Salvage vehicle", a motor vehicle, semitrailer or
25 house trailer which, by reason of condition or circumstance, has

1 been declared salvage, either by its owner, or by a person, firm,
2 corporation, or other legal entity exercising the right of
3 security interest in it, or by an insurance company as a result
4 of settlement of a claim for loss due to damage or theft; or a
5 vehicle, ownership of which is evidenced by a salvage title; or
6 abandoned property which is titled pursuant to section 304.155,
7 RSMo, or section 304.157, RSMo, and designated with the words
8 "salvage/abandoned property";

9 (51) "School bus", any motor vehicle used solely to
10 transport students to or from school or to transport students to
11 or from any place for educational purposes;

12 (52) "Shuttle bus", a motor vehicle used or maintained by
13 any person, firm, or corporation as an incidental service to
14 transport patrons or customers of the regular business of such
15 person, firm, or corporation to and from the place of business of
16 the person, firm, or corporation providing the service at no fee
17 or charge. Shuttle buses shall not be registered as buses or as
18 commercial motor vehicles;

19 (53) "Special mobile equipment", every self-propelled
20 vehicle not designed or used primarily for the transportation of
21 persons or property and incidentally operated or moved over the
22 highways, including farm equipment, implements of husbandry, road
23 construction or maintenance machinery, ditch-digging apparatus,
24 stone crushers, air compressors, power shovels, cranes, graders,
25 rollers, well-drillers and wood-sawing equipment used for hire,

1 asphalt spreaders, bituminous mixers, bucket loaders, ditchers,
2 leveling graders, finished machines, motor graders, road rollers,
3 scarifiers, earth-moving carryalls, scrapers, drag lines,
4 concrete pump trucks, rock-drilling and earth-moving equipment.

5 This enumeration shall be deemed partial and shall not operate to
6 exclude other such vehicles which are within the general terms of
7 this section;

8 (54) "Specially constructed motor vehicle", a motor vehicle
9 which shall not have been originally constructed under a
10 distinctive name, make, model or type by a manufacturer of motor
11 vehicles. The term "specially constructed motor vehicle"
12 includes kit vehicles;

13 (55) "Stinger-steered combination", a truck
14 tractor-semitrailer wherein the fifth wheel is located on a drop
15 frame located behind and below the rearmost axle of the power
16 unit;

17 (56) "Tandem axle", a group of two or more axles, arranged
18 one behind another, the distance between the extremes of which is
19 more than forty inches and not more than ninety-six inches apart;

20 (57) "Tractor", "truck tractor" or "truck-tractor", a
21 self-propelled motor vehicle designed for drawing other vehicles,
22 but not for the carriage of any load when operating
23 independently. When attached to a semitrailer, it supports a
24 part of the weight thereof;

25 (58) "Trailer", any vehicle without motive power designed

1 for carrying property or passengers on its own structure and for
2 being drawn by a self-propelled vehicle, except those running
3 exclusively on tracks, including a semitrailer or vehicle of the
4 trailer type so designed and used in conjunction with a
5 self-propelled vehicle that a considerable part of its own weight
6 rests upon and is carried by the towing vehicle. The term
7 "trailer" shall not include cotton trailers as defined in
8 subdivision (8) of this section and shall not include
9 manufactured homes as defined in section 700.010, RSMo;

10 (59) "Truck", a motor vehicle designed, used, or maintained
11 for the transportation of property;

12 (60) "Truck-tractor semitrailer-semitrailer", a combination
13 vehicle in which the two trailing units are connected with a
14 B-train assembly which is a rigid frame extension attached to the
15 rear frame of a first semitrailer which allows for a fifth-wheel
16 connection point for the second semitrailer and has one less
17 articulation point than the conventional "A dolly" connected
18 truck-tractor semitrailer-trailer combination;

19 (61) "Truck-trailer boat transporter combination", a boat
20 transporter combination consisting of a straight truck towing a
21 trailer using typically a ball and socket connection with the
22 trailer axle located substantially at the trailer center of
23 gravity rather than the rear of the trailer but so as to maintain
24 a downward force on the trailer tongue;

25 (62) "Used parts dealer", a business that buys and sells

1 used motor vehicle parts or accessories, but not including a
2 business that sells only new, remanufactured or rebuilt parts.
3 "Business" does not include isolated sales at a swap meet of less
4 than three days;

5 (63) "Vanpool", any van or other motor vehicle used or
6 maintained by any person, group, firm, corporation, association,
7 city, county or state agency, or any member thereof, for the
8 transportation of not less than eight nor more than forty-eight
9 employees, per motor vehicle, to and from their place of
10 employment; however, a vanpool shall not be included in the
11 definition of the term "bus" or "commercial motor vehicle" as
12 defined by subdivisions (6) and (7) of this section, nor shall a
13 vanpool driver be deemed a "chauffeur" as that term is defined by
14 section 302.010, RSMo; nor shall use of a vanpool vehicle for
15 ride-sharing arrangements, recreational, personal, or maintenance
16 uses constitute an unlicensed use of the motor vehicle, unless
17 used for monetary profit other than for use in a ride-sharing
18 arrangement;

19 (64) "Vehicle", any mechanical device on wheels, designed
20 primarily for use, or used, on highways, except motorized
21 bicycles, vehicles propelled or drawn by horses or human power,
22 or vehicles used exclusively on fixed rails or tracks, or cotton
23 trailers or motorized wheelchairs operated by handicapped
24 persons;

25 (65) "Wrecker" or "tow truck", any emergency commercial

1 vehicle equipped, designed and used to assist or render aid and
2 transport or tow disabled or wrecked vehicles from a highway,
3 road, street or highway rights-of-way to a point of storage or
4 repair, including towing a replacement vehicle to replace a
5 disabled or wrecked vehicle;

6 (66) "Wrecker or towing service", the act of transporting,
7 towing or recovering with a wrecker, tow truck, rollback or car
8 carrier any vehicle not owned by the operator of the wrecker, tow
9 truck, rollback or car carrier for which the operator directly or
10 indirectly receives compensation or other personal gain.

11 301.132. 1. [Any motor vehicle manufactured in 1948 or
12 before which is modified for safe road use, including but not
13 limited to modifications to the drive train, suspension, brake
14 system, and any safety or comfort apparatus and which is not
15 owned solely as a collector's item and which is not used or
16 intended to be used solely for exhibition and educational
17 purposes only, may be specially registered as a "street rod" upon
18 payment of an annual fee equal to the fee charged for
19 personalized license plates in section 301.144 in addition to the
20 regular annual registration fees. Upon the transfer of the title
21 to any such vehicle the registration shall be canceled and the
22 license plates issued therefor shall be returned to the director
23 of revenue.

24 2. The owner of any such vehicle shall file an application
25 in a form prescribed by the director, verified by affidavit,

1 providing that such vehicle meets the requirements which shall be
2 issued by the director for classification as a "street rod", and
3 a certificate of registration shall be issued therefor.

4 3. The director shall issue to the owner of any motor
5 vehicle registered under this section two license plates
6 containing the number assigned to the registration certificate
7 issued by the director of revenue, and the following words:
8 "Street Rod", "State of Missouri". Such license plates shall be
9 kept securely attached to the motor vehicle registered hereunder.
10 The advisory committee established in section 301.129 shall
11 determine the characteristic features of such license plates for
12 vehicles registered under the provisions of this section so that
13 they may be recognized as such, except that such license plates
14 shall be made with fully reflective material with a common color
15 scheme and design, shall be clearly visible at night, and shall
16 be aesthetically attractive, as prescribed by section 301.130.

17 4. Motor vehicles registered under this section are subject
18 to the motor vehicle safety inspection requirements of sections
19 307.350 to 307.390, RSMo.] For purposes of this section, "street
20 rod" is a vehicle older than 1949 or a vehicle manufactured after
21 1948 to resemble a vehicle manufactured before 1949; and has been
22 altered from the manufacturer's original design or has a body
23 constructed from nonoriginal materials.

24 2. The model year and the year of manufacture that are
25 listed on the certificate of title of a street rod vehicle shall

1 be the model year and year of manufacture that the body of such
2 vehicle resembles. The current and all subsequent certificates
3 of ownership shall be designated with the word "REPLICA".

4 3. For each street rod, there shall be an annual fee equal
5 to the fee charged for personalized license plates in section
6 301.144 in addition to the regular annual registration fees.

7 4. In applying for registration of a street rod pursuant to
8 this section, the owner of the street rod shall submit with the
9 application a certification that the vehicle for which the
10 application is made:

11 (1) Will be maintained for occasional transportation,
12 exhibitions, club activities, parades, tours, and similar uses;

13 (2) Will not be used for general daily transportation.

14 5. In addition to the certification required pursuant to
15 subsection 4 of this section, when applying for registration of a
16 street rod, the new owner of the street rod shall provide proof
17 that the street rod passed a safety inspection in accordance with
18 section 307.350, RSMo, that shall be approved by the department
19 of public safety in consultation with the street rod community in
20 this state.

21 6. On registration of a vehicle pursuant to this section,
22 the director of the department of revenue shall issue to the
23 owner two license plates containing the number assigned to the
24 registration certificate issued by the director of revenue, and
25 the following words: "Street Rod", "State of Missouri". Such

1 license plates shall be kept securely attached to the motor
2 vehicle registered pursuant to this section. The director of
3 revenue shall determine the characteristic features of such
4 license plates for vehicles registered pursuant to the provisions
5 of this section so that they may be recognized as such, except
6 that such license plates shall be made with fully reflective
7 material with a common color scheme and design, shall be clearly
8 visible at night, and shall be aesthetically attractive, as
9 prescribed by section 301.130.

10 7. Unless the presence of the equipment was specifically
11 required by a statute of this state as a condition of sale in the
12 year listed as the year of manufacture on the certificate of
13 title, the presence of any specific equipment is not required for
14 the operation of a vehicle registered pursuant to this section.

15 8. Except as provided in subsection 5 of this section, a
16 vehicle registered pursuant to this section is exempt from any
17 statute of this state that requires periodic vehicle inspections
18 and from any statute of this state that requires the use and
19 inspection of emission controls.

20 9. A custom vehicle means any motor vehicle that:

21 (1) Is at least twenty-five years old and of a model year
22 after 1948, or was manufactured to resemble a vehicle twenty-five
23 years old or older and of a model year after 1948; and

24 (2) Has been altered from the manufacturer's original
25 design, or has an entire body constructed from nonoriginal

1 materials.

2 10. The model year and the year of manufacture that are
3 listed on the certificate of title of a custom vehicle shall be
4 the model year and year of manufacture that the body of such
5 vehicle resembles. The current and all subsequent certificates
6 of ownership shall be designated with the word "REPLICA".

7 11. For each custom vehicle, there shall be an annual fee
8 equal to the fee charged for personalized license plates in
9 section 301.144 in addition to the regular annual registration
10 fees.

11 12. In applying for registration of a custom vehicle
12 pursuant to this section, the owner of the custom vehicle shall
13 submit with the application a certification that the vehicle for
14 which the application is made:

15 (1) Will be maintained for occasional transportation,
16 exhibits, club activities, parades, tours, and similar uses; and

17 (2) Will not be used for general daily transportation.

18 13. In addition to the certification required pursuant to
19 subsection 12 of this section, when applying for registration of
20 a custom vehicle, the new owner of the custom vehicle shall
21 provide proof that the custom vehicle passed a safety inspection
22 in accordance with section 307.350, RSMo, that shall be approved
23 by the department of public safety in consultation with the
24 street rod community in this state.

25 14. On registration of a vehicle pursuant to this section,

1 the director of the department of revenue shall issue to the
2 owner two license plates containing the number assigned to the
3 registration certificate issued by the director of revenue, and
4 the following words: "Custom Vehicle", "State of Missouri".
5 Such license plates shall be kept securely attached to the motor
6 vehicle registered hereunder. The director of revenue shall
7 determine the characteristic features of such license plates for
8 vehicles registered pursuant to the provisions of this section so
9 that they may be recognized as such, except that such license
10 plates shall be made with fully reflective material with a common
11 color scheme and design, shall be clearly visible at night, and
12 shall be aesthetically attractive, as prescribed by section
13 301.130.

14 15. Unless the presence of the equipment was specifically
15 required by a statute of this state as a condition of sale in the
16 year listed as the year of manufacture on the certificate of
17 title, the presence of any specific equipment is not required for
18 the operation of a vehicle registered pursuant to this section.

19 16. Except as provided in subsection 12 of this section, a
20 vehicle registered pursuant to this section is exempt from any
21 statute of this state that requires periodic vehicle inspections
22 and from any statute of this state that requires the use and
23 inspection of emission controls.

24 17. For purposes of this section, "blue dot tail light" is
25 a red lamp installed in the rear of a motor vehicle containing a

1 blue or purple insert that is not more than one inch in diameter.

2 18. A street rod or custom vehicle may use blue dot tail
3 lights for stop lamps, rear turning indicator lamps, rear hazard
4 lamps, and rear reflectors.

5 301.190. 1. No certificate of registration of any motor
6 vehicle or trailer, or number plate therefor, shall be issued by
7 the director of revenue unless the applicant therefor shall make
8 application for and be granted a certificate of ownership of such
9 motor vehicle or trailer, or shall present satisfactory evidence
10 that such certificate has been previously issued to the applicant
11 for such motor vehicle or trailer. Application shall be made
12 within thirty days after the applicant acquires the motor vehicle
13 or trailer upon a blank form furnished by the director of revenue
14 and shall contain the applicant's identification number, a full
15 description of the motor vehicle or trailer, the vehicle
16 identification number, and the mileage registered on the odometer
17 at the time of transfer of ownership, as required by section
18 407.536, RSMo, together with a statement of the applicant's
19 source of title and of any liens or encumbrances on the motor
20 vehicle or trailer, provided that for good cause shown the
21 director of revenue may extend the period of time for making such
22 application.

23 2. The director of revenue shall use reasonable diligence
24 in ascertaining whether the facts stated in such application are
25 true and shall, to the extent possible without substantially

1 delaying processing of the application, review any odometer
2 information pertaining to such motor vehicle that is accessible
3 to the director of revenue. If satisfied that the applicant is
4 the lawful owner of such motor vehicle or trailer, or otherwise
5 entitled to have the same registered in his name, the director
6 shall thereupon issue an appropriate certificate over his
7 signature and sealed with the seal of his office, procured and
8 used for such purpose. The certificate shall contain on its face
9 a complete description, vehicle identification number, and other
10 evidence of identification of the motor vehicle or trailer, as
11 the director of revenue may deem necessary, together with the
12 odometer information required to be put on the face of the
13 certificate pursuant to section 407.536, RSMo, a statement of any
14 liens or encumbrances which the application may show to be
15 thereon, and, if ownership of the vehicle has been transferred,
16 the name of the state issuing the transferor's title and whether
17 the transferor's odometer mileage statement executed pursuant to
18 section 407.536, RSMo, indicated that the true mileage is
19 materially different from the number of miles shown on the
20 odometer, or is unknown.

21 3. The director of revenue shall appropriately designate on
22 the current and all subsequent issues of the certificate the
23 words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
24 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor
25 Vehicle", as defined in section 301.010. Effective July 1, 1990,

1 on all original and all subsequent issues of the certificate for
2 motor vehicles as referenced in subsections 2 and 3 of section
3 301.020, the director shall print on the face thereof the
4 following designation: "Annual odometer updates may be available
5 from the department of revenue.". On any duplicate certificate,
6 the director of revenue shall reprint on the face thereof the
7 most recent of either:

8 (1) The mileage information included on the face of the
9 immediately prior certificate and the date of purchase or
10 issuance of the immediately prior certificate; or

11 (2) Any other mileage information provided to the director
12 of revenue, and the date the director obtained or recorded that
13 information.

14 4. The certificate of ownership issued by the director of
15 revenue shall be manufactured in a manner to prohibit as nearly
16 as possible the ability to alter, counterfeit, duplicate, or
17 forge such certificate without ready detection. In order to
18 carry out the requirements of this subsection, the director of
19 revenue may contract with a nonprofit scientific or educational
20 institution specializing in the analysis of secure documents to
21 determine the most effective methods of rendering Missouri
22 certificates of ownership nonalterable or noncounterfeitable.

23 5. The fee for each original certificate so issued shall be
24 eight dollars and fifty cents, in addition to the fee for
25 registration of such motor vehicle or trailer. If application

1 for the certificate is not made within thirty days after the
2 vehicle is acquired by the applicant, a delinquency penalty fee
3 of twenty-five dollars for the first thirty days of delinquency
4 and twenty-five dollars for each thirty days of delinquency
5 thereafter, not to exceed a total of one hundred dollars before
6 November 1, 2003, and not to exceed a total of two hundred
7 dollars on or after November 1, 2003, shall be imposed, but such
8 penalty may be waived by the director for a good cause shown. If
9 the director of revenue learns that any person has failed to
10 obtain a certificate within thirty days after acquiring a motor
11 vehicle or trailer or has sold a vehicle without obtaining a
12 certificate, he shall cancel the registration of all vehicles
13 registered in the name of the person, either as sole owner or as
14 a co-owner, and shall notify the person that the cancellation
15 will remain in force until the person pays the delinquency
16 penalty fee provided in this section, together with all fees,
17 charges and payments which he should have paid in connection with
18 the certificate of ownership and registration of the vehicle.
19 The certificate shall be good for the life of the motor vehicle
20 or trailer so long as the same is owned or held by the original
21 holder of the certificate and shall not have to be renewed
22 annually.

23 6. Any applicant for a certificate of ownership requesting
24 the department of revenue to process an application for a
25 certificate of ownership in an expeditious manner requiring

1 special handling shall pay a fee of five dollars in addition to
2 the regular certificate of ownership fee.

3 7. It is unlawful for any person to operate in this state a
4 motor vehicle or trailer required to be registered under the
5 provisions of the law unless a certificate of ownership has been
6 issued as herein provided.

7 8. Before an original Missouri certificate of ownership is
8 issued, if a salvage certificate of title has been issued for the
9 same vehicle but no prior inspection and verification has been
10 made in this state, an inspection of the vehicle and a
11 verification of vehicle identification numbers shall be made by
12 the Missouri state highway patrol [on vehicles for which there is
13 a current title issued by another state if a Missouri salvage
14 certificate of title has been issued for the same vehicle but no
15 prior inspection and verification has been made in this state],
16 except that if such vehicle has been inspected in another state
17 by a law enforcement officer in a manner comparable to the
18 inspection process in this state and the vehicle identification
19 numbers have been so verified, the applicant shall not be liable
20 for the twenty-five dollar inspection fee if such applicant
21 submits proof of inspection and vehicle identification number
22 verification to the director of revenue at the time of the
23 application. The applicant, who has such a title for a vehicle
24 on which no prior inspection and verification have been made,
25 shall pay a fee of twenty-five dollars for such verification and

1 inspection, payable to the director of revenue at the time of the
2 request for the application, which shall be deposited in the
3 state treasury to the credit of the state highway fund.

4 9. Each application for an original Missouri certificate of
5 ownership for a vehicle which is classified as a reconstructed
6 motor vehicle, specially constructed motor vehicle, kit vehicle,
7 motor change vehicle, non-USA-std motor vehicle, or other vehicle
8 as required by the director of revenue, shall be accompanied by a
9 vehicle examination certificate issued by the Missouri state
10 highway patrol, or other law enforcement agency as authorized by
11 the director of revenue. The vehicle examination shall include a
12 verification of vehicle identification numbers and a
13 determination of the classification of the vehicle. The owner of
14 a vehicle which requires a vehicle examination certificate shall
15 present the vehicle for examination and obtain a completed
16 vehicle examination certificate prior to submitting an
17 application for a certificate of ownership to the director of
18 revenue. The fee for the vehicle examination application shall
19 be twenty-five dollars and shall be collected by the director of
20 revenue at the time of the request for the application and shall
21 be deposited in the state treasury to the credit of the state
22 highway fund.

23 10. When an application is made for an original Missouri
24 certificate of ownership for a motor vehicle previously
25 registered or titled in a state other than Missouri, it shall be

1 accompanied by a current inspection form certified by a duly
2 authorized official inspection station as described in chapter
3 307, RSMo. The completed form shall certify that the
4 manufacturer's identification number for the vehicle has been
5 inspected, that it is correctly displayed on the vehicle and
6 shall certify the reading shown on the odometer at the time of
7 inspection. The inspection station shall collect the same fee as
8 authorized in section 307.365, RSMo, for making the inspection,
9 and the fee shall be deposited in the same manner as provided in
10 section 307.365, RSMo. If the vehicle is also to be registered
11 in Missouri, the safety and emissions inspections required in
12 chapter 307, RSMo, shall be completed and only the fees required
13 by sections 307.365 and 307.366, RSMo, shall be charged to the
14 owner. This section shall not apply to vehicles being
15 transferred on a manufacturer's statement of origin.

16 11. Motor vehicles brought into this state in a wrecked or
17 damaged condition or after being towed as an abandoned vehicle
18 pursuant to another state's abandoned motor vehicle procedures
19 shall, in lieu of the inspection required by subsection 10 of
20 this section, be inspected by the Missouri state highway patrol
21 in accordance with subsection 9 of this section. If the
22 inspection reveals the vehicle to be in a salvage or junk
23 condition, the director shall so indicate on any Missouri
24 certificate of ownership issued for such vehicle. Any salvage
25 designation shall be carried forward on all subsequently issued

1 certificates of title for the motor vehicle.

2 12. When an application is made for an original Missouri
3 certificate of ownership for a motor vehicle previously
4 registered or titled in a state other than Missouri, and the
5 certificate of ownership has been appropriately designated by the
6 issuing state as reconstructed motor vehicle, motor change
7 vehicle, specially constructed motor vehicle, the director of
8 revenue shall appropriately designate on the current Missouri and
9 all subsequent issues of the certificate of ownership the name of
10 the issuing state and such prior designation.

11 13. When an application is made for an original Missouri
12 certificate of ownership for a motor vehicle previously
13 registered or titled in a state other than Missouri, and the
14 certificate of ownership has been appropriately designated by the
15 issuing state as non-USA-std motor vehicle, the director of
16 revenue shall appropriately designate on the current Missouri and
17 all subsequent issues of the certificate of ownership the words
18 "Non-USA-Std Motor Vehicle".

19 14. The director of revenue and the superintendent of the
20 Missouri state highway patrol shall make and enforce rules for
21 the administration of the inspections required by this section.

22 301.219. Application for a license shall be submitted [by
23 July first of each year] biennially and shall be made on the form
24 the department prescribes, containing the name of the applicant,
25 the address where business is to be conducted, the kind of

1 business, enumerated in section 301.218 to be conducted, the
2 residence address of the applicant if an individual, the names
3 and residence addresses of the partners of the applicant if a
4 partnership, the names and residence addresses of the principal
5 officers of the applicant and the state of its incorporation, if
6 a corporation. The application shall be verified by the oath or
7 affirmation of the applicant, if the applicant is a partnership
8 or a corporation, by a partner or officer of the applicant and
9 shall be accompanied by a fee of [sixty-five] one hundred thirty-
10 two dollars every [year] two years for each kind of business
11 required to be licensed under subdivision (1), (2), (3), or (4)
12 of subsection 1 of section 301.218. If the applicant conducts
13 business at different locations, a separate application, license
14 and [sixty-five] one hundred thirty-two dollar [annual] fee shall
15 be required for each location. The director may stagger the
16 expiration dates to equalize the workload.

17 301.221. 1. The department shall file each application
18 received by it with the required fee, and when satisfied that the
19 applicant, if an individual, or each of the partners or principal
20 officers of the applicant, if a partnership or a corporation, is
21 of good moral character and that the applicant, so far as can be
22 ascertained, has complied and will comply with the provisions of
23 sections 301.217 to 301.229 and the laws of this state relating
24 to registration of and certificates of title of vehicles, shall
25 issue to the applicant a license to carry on and conduct the kind

1 of businesses, enumerated in section 301.218, specified in the
2 application at the address therein specified, until [July first
3 next following the date on which] the next license [is issued]
4 renewal date.

5 2. When the application is being made for licensure as a
6 salvage dealer, a certification may be performed by a uniformed
7 member of the Missouri state highway patrol stationed in the
8 troop area in which the applicant's place of business is located;
9 except that, in counties of the first classification,
10 certification may be performed by an officer of a metropolitan
11 police department when the applicant's established place of
12 business of salvage is in the metropolitan area where the
13 certifying metropolitan police officer is employed. An applicant
14 shall have a bona fide established place of business which shall
15 include a permanent enclosed building or structure, either owned
16 in fee or leased and actually occupied as a place of business by
17 the applicant for:

18 (1) Selling used parts of or used accessories for vehicles;
19 or

20 (2) Salvaging, wrecking or dismantling vehicles for resale
21 of the parts thereof; or

22 (3) Rebuilding and repairing wrecked or dismantled
23 vehicles; or

24 (4) Processing scrapped vehicles or vehicle parts.

25 3. The applicant's place of business shall be a place

1 wherein the public may contact the owner or operator, in person
2 or by telephone, at any reasonable time, and wherein shall be
3 kept and maintained the books, records, files, tools, equipment
4 and other matters required and necessary to conduct the business.

5 4. The application shall include a photograph, not to
6 exceed eight inches by ten inches, showing the building and
7 business premises and shall accompany the initial application but
8 will not be required for subsequent renewals unless substantial
9 changes have been made to the building or business premises.

10 301.681. 1. A sole owner of a motor vehicle or trailer,
11 and multiple owners of a motor vehicle or trailer who hold their
12 interest as joint tenants with right of survivorship or as
13 tenants by the entirety, on application and payment of the fee
14 required for an original certificate of ownership, may request
15 the director of revenue to issue a certificate of ownership for
16 the motor vehicle or trailer in beneficiary form which includes a
17 directive to the director of revenue to transfer the certificate
18 of ownership on death of the sole owner or on death of all
19 multiple owners to one beneficiary or to two or more
20 beneficiaries as joint tenants with right of survivorship or as
21 tenants by the entirety named on the face of the certificate.
22 The directive to the director of revenue shall also permit the
23 beneficiary or beneficiaries to make one reassignment of the
24 original certificate of ownership upon the death of the owner to
25 another owner without transferring the certificate to the

1 beneficiary or beneficiaries' name.

2 2. A certificate of ownership in beneficiary form may not
3 be issued to persons who hold their interest in a motor vehicle
4 or trailer as tenants in common.

5 3. A certificate of ownership issued in beneficiary form
6 shall include after the name of the owner, or after the names of
7 multiple owners, the words "transfer on death to" or the
8 abbreviation "TOD" followed by the name of the beneficiary or
9 beneficiaries.

10 4. (1) During the lifetime of a sole owner and during the
11 lifetime of all multiple owners, the signature or consent of the
12 beneficiary or beneficiaries shall not be required for any
13 transaction relating to the motor vehicle or trailer for which a
14 certificate of ownership in beneficiary form has been issued.

15 (2) A certificate of ownership in beneficiary form may be
16 revoked or the beneficiary or beneficiaries changed at any time
17 before the death of a sole owner or surviving multiple owner only
18 by the following methods:

19 (a) By a sale of the motor vehicle or trailer with proper
20 assignment and delivery of the certificate of ownership to
21 another person; or

22 (b) By filing an application to reissue the certificate of
23 ownership with no designation of a beneficiary or with the
24 designation of a different beneficiary or beneficiaries with the
25 director of revenue in proper form and accompanied by the payment

1 of the fee for an original certificate of ownership.

2 (3) The beneficiary's or beneficiaries' interest in the
3 motor vehicle or trailer at death of the owner or surviving owner
4 shall be subject to any contract of sale, assignment of ownership
5 or security interest to which the owner or owners of the motor
6 vehicle or trailer were subject during their lifetime.

7 (4) The designation of a beneficiary or beneficiaries in a
8 certificate of ownership issued in beneficiary form may not be
9 changed or revoked by a will, any other instrument, or a change
10 in circumstances, or otherwise be changed or revoked except as
11 provided by subdivision (2) of this subsection.

12 5. (1) On proof of death of one of the owners of two or
13 more multiple owners, or of a sole owner, surrender of the
14 outstanding certificate of ownership, and on application and
15 payment of the fee for an original certificate of ownership, the
16 director of revenue shall issue a new certificate of ownership
17 for the motor vehicle or trailer to the surviving owner or owners
18 or, if none, to the surviving beneficiary or beneficiaries,
19 subject to any outstanding security interest; and the current
20 valid certificate of number shall be so transferred. If the
21 surviving beneficiary or beneficiaries make a request of the
22 director of revenue, the director may allow the beneficiary or
23 beneficiaries to make one assignment of title.

24 (2) The director of revenue may rely on a death certificate
25 or record or report that constitutes prima facie proof or

1 evidence of death under subdivisions (1) and (2) of section
2 472.290, RSMo.

3 (3) The transfer of a motor vehicle or trailer at death
4 pursuant to this section is effective by reason of sections
5 301.675 to 301.682 and sections 306.455 to 306.465, RSMo, and is
6 not to be considered as testamentary, or to be subject to the
7 requirements of section 473.087, RSMo, or section 474.320, RSMo.

8 302.130. 1. Any person at least fifteen years of age who,
9 except for age or lack of instruction in operating a motor
10 vehicle, would otherwise be qualified to obtain a license
11 pursuant to sections 302.010 to 302.340 may apply for and the
12 director shall issue a temporary instruction permit entitling the
13 applicant, while having such permit in the applicant's immediate
14 possession, to drive a motor vehicle of the appropriate class
15 upon the highways for a period of twelve months, but any such
16 person, except when operating a motorcycle or motortricycle, must
17 be accompanied by a licensed operator for the type of motor
18 vehicle being operated who is actually occupying a seat beside
19 the driver for the purpose of giving instruction in driving the
20 motor vehicle, who is at least twenty-one years of age, and in
21 the case of any driver under sixteen years of age, the licensed
22 operator occupying the seat beside the driver shall be a
23 grandparent, parent, guardian, a driver training instructor
24 holding a valid driver education endorsement on a teaching
25 certificate issued by the department of elementary and secondary

1 education or a qualified instructor of a private drivers'
2 education program who has a valid driver's license. Beginning
3 January 1, 2001, an applicant for a temporary instruction permit
4 shall successfully complete a vision test and a test of the
5 applicant's ability to understand highway signs which regulate,
6 warn or direct traffic and practical knowledge of the traffic
7 laws of this state, pursuant to section 302.173. In addition,
8 beginning January 1, 2001, no permit shall be granted pursuant to
9 this subsection unless a parent or legal guardian gives written
10 permission by signing the application and in so signing, state
11 they, or their designee as set forth in subsection 2 of this
12 section, will provide a minimum of twenty hours of
13 behind-the-wheel driving instruction. The twenty hours of
14 behind-the-wheel driving instruction that is completed pursuant
15 to this subsection may include any time that the holder of an
16 instruction permit has spent operating a motor vehicle in a
17 driver training program taught by a driver training instructor
18 holding a valid driver education endorsement on a teaching
19 certificate issued by the department of elementary and secondary
20 education or by a qualified instructor of a private drivers'
21 education program. If the applicant for a permit is enrolled in
22 a federal residential job training program, the instructor, as
23 defined in subsection 5 of this section, is authorized to sign
24 the application stating that the applicant will receive the
25 behind-the-wheel driving instruction required by this section.

1 2. In the event the parent, grandparent or guardian of the
2 person under sixteen years of age has a physical disability which
3 prohibits or disqualifies said parent, grandparent or guardian
4 from being a qualified licensed operator pursuant to this
5 section, said parent, grandparent or guardian may designate a
6 maximum of two individuals authorized to accompany the applicant
7 for the purpose of giving instruction in driving the motor
8 vehicle. An authorized designee must be a licensed operator for
9 the type of motor vehicle being operated and have attained
10 twenty-one years of age. At least one of the designees must
11 occupy the seat beside the applicant while giving instruction in
12 driving the motor vehicle. The name of the authorized designees
13 must be provided to the department of revenue by the parent,
14 grandparent or guardian at the time of application for the
15 temporary instruction permit. The name of each authorized
16 designee shall be printed on the temporary instruction permit,
17 however, the director may delay the time at which permits are
18 printed bearing such names until the inventories of blank permits
19 and related forms existing on August 28, 1998, are exhausted.

20 3. The director, upon proper application on a form
21 prescribed by the director, in his or her discretion, may issue a
22 restricted instruction permit effective for a school year or more
23 restricted period to an applicant who is enrolled in a high
24 school driver training program taught by a driver training
25 instructor holding a valid driver education endorsement on a

1 teaching certificate issued by the state department of elementary
2 and secondary education even though the applicant has not reached
3 the age of sixteen years but has passed the age of fifteen years.
4 Such instruction permit shall entitle the applicant, when the
5 applicant has such permit in his or her immediate possession, to
6 operate a motor vehicle on the highways, but only when a driver
7 training instructor holding a valid driver education endorsement
8 on a teaching certificate issued by the state department of
9 elementary and secondary education is occupying a seat beside the
10 driver.

11 4. The director, in his or her discretion, may issue a
12 temporary driver's permit to an applicant who is otherwise
13 qualified for a license permitting the applicant to operate a
14 motor vehicle while the director is completing the director's
15 investigation and determination of all facts relative to such
16 applicant's rights to receive a license. Such permit must be in
17 the applicant's immediate possession while operating a motor
18 vehicle, and it shall be invalid when the applicant's license has
19 been issued or for good cause has been refused.

20 5. In the event that the applicant for a temporary
21 instruction permit described in subsection 1 of this section is a
22 participant in a federal residential job training program, the
23 permittee may operate a motor vehicle accompanied by a driver
24 training instructor who holds a valid driver education
25 endorsement issued by the department of elementary and secondary

1 education and a valid driver's license.

2 6. A person at least fifteen years of age may operate a
3 motor vehicle as part of a driver training program taught by a
4 driver training instructor holding a valid driver education
5 endorsement on a teaching certificate issued by the department of
6 elementary and secondary education or a qualified instructor of a
7 private drivers' education program.

8 7. Beginning January 1, 2003, the director shall issue with
9 every temporary instruction permit issued pursuant to subsection
10 1 of this section a sticker or sign bearing the words "PERMIT
11 DRIVER". The design and size of such sticker or sign shall be
12 determined by the director by regulation. Every applicant issued
13 a temporary instruction permit and sticker on or after January 1,
14 2003, may display or affix the sticker or sign on the rear window
15 of the motor vehicle. Such sticker or sign may be displayed on
16 the rear window of the motor vehicle whenever the holder of the
17 instruction permit operates a motor vehicle during his or her
18 temporary permit licensure period.

19 8. The director shall verify that an applicant for an
20 instruction permit issued under this section is lawfully present
21 in the United States before accepting the application. The
22 director shall not issue an instruction permit for a period that
23 exceeds an applicant's lawful presence in the United States. The
24 director may establish procedures to verify the lawful presence
25 of the applicant and establish the duration of any permit issued

1 under this section.

2 9. The director may adopt rules and regulations necessary
3 to carry out the provisions of this section.

4 302.171. 1. The director shall verify that an applicant
5 for a driver's license is lawfully present in the United States
6 before accepting the application. The director shall not issue a
7 driver's license for a period that exceeds an applicant's lawful
8 presence in the United States. The director may establish
9 procedures to verify the lawful presence of the applicant and
10 establish the duration of any driver's license issued under this
11 section. An application for a license shall be made upon an
12 approved form furnished by the director. Every application shall
13 state the full name, Social Security number, age, height, weight,
14 color of eyes, sex, residence, mailing address of the applicant,
15 and the classification for which the applicant has been licensed,
16 and, if so, when and by what state, and whether or not such
17 license has ever been suspended, revoked, or disqualified, and,
18 if revoked, suspended or disqualified, the date and reason for
19 such suspension, revocation or disqualification and whether the
20 applicant is making a one dollar donation to promote an organ
21 donation program as prescribed in subsection 2 of this section.
22 A driver's license, nondriver's license, or instruction permit
23 issued under this chapter shall contain the applicant's legal
24 name as it appears on a birth certificate or as legally changed
25 through marriage or court order. No name change by common usage

1 based on common law shall be permitted. The application shall
2 also contain such information as the director may require to
3 enable the director to determine the applicant's qualification
4 for driving a motor vehicle; and shall state whether or not the
5 applicant has been convicted in this or any other state for
6 violating the laws of this or any other state or any ordinance of
7 any municipality, relating to driving without a license, careless
8 driving, or driving while intoxicated, or failing to stop after
9 an accident and disclosing the applicant's identity, or driving a
10 motor vehicle without the owner's consent. The application shall
11 contain a certification by the applicant as to the truth of the
12 facts stated therein. Every person who applies for a license to
13 operate a motor vehicle who is less than twenty-one years of age
14 shall be provided with educational materials relating to the
15 hazards of driving while intoxicated, including information on
16 penalties imposed by law for violation of the
17 intoxication-related offenses of the state. Beginning January 1,
18 2001, if the applicant is less than eighteen years of age, the
19 applicant must comply with all requirements for the issuance of
20 an intermediate driver's license pursuant to section 302.178.

21 2. An applicant for a license may make a donation of one
22 dollar to promote an organ donor program. The director of
23 revenue shall collect the donations and deposit all such
24 donations in the state treasury to the credit of the organ donor
25 program fund established in sections 194.297 to 194.304, RSMo.

1 Moneys in the organ donor program fund shall be used solely for
2 the purposes established in sections 194.297 to 194.304, RSMo,
3 except that the department of revenue shall retain no more than
4 one percent for its administrative costs. The donation
5 prescribed in this subsection is voluntary and may be refused by
6 the applicant for the license at the time of issuance or renewal
7 of the license. The director shall make available an
8 informational booklet or other informational sources on the
9 importance of organ donations to applicants for licensure as
10 designed by the organ donation advisory committee established in
11 sections 194.297 to 194.304, RSMo. The director shall inquire of
12 each applicant at the time the licensee presents the completed
13 application to the director whether the applicant is interested
14 in making the one dollar donation prescribed in this subsection
15 and whether the applicant is interested in inclusion in the organ
16 donor registry and shall also specifically inform the licensee of
17 the ability to consent to organ donation by completing the form
18 on the reverse of the license that the applicant will receive in
19 the manner prescribed by subsection 6 of section 194.240, RSMo.
20 The director shall notify the department of health and senior
21 services of information obtained from applicants who indicate to
22 the director that they are interested in registry participation,
23 and the department of health and senior services shall enter the
24 complete name, address, date of birth, race, gender and a unique
25 personal identifier in the registry established in subsection 1

1 of section 194.304, RSMo.

2 3. An applicant for a license may make a donation of one
3 dollar to promote a blindness education, screening and treatment
4 program. The director of revenue shall collect the donations and
5 deposit all such donations in the state treasury to the credit of
6 the blindness education, screening and treatment program fund
7 established in section 192.935, RSMo. Moneys in the blindness
8 education, screening and treatment program fund shall be used
9 solely for the purposes established in section 192.935, RSMo,
10 except that the department of revenue shall retain no more than
11 one percent for its administrative costs. The donation
12 prescribed in this subsection is voluntary and may be refused by
13 the applicant for the license at the time of issuance or renewal
14 of the license. The director shall inquire of each applicant at
15 the time the licensee presents the completed application to the
16 director whether the applicant is interested in making the one
17 dollar donation prescribed in this subsection.

18 4. The director shall deny the driving privilege of any
19 person who commits fraud or deception during the examination
20 process or who makes application for an instruction permit,
21 driver's license, or nondriver's license which contains or is
22 substantiated with false or fraudulent information or
23 documentation, or who knowingly conceals a material fact or
24 otherwise commits a fraud in any such application. The period of
25 denial shall be one year from the effective date of the denial

1 notice sent by the director. The denial shall become effective
2 ten days after the date the denial notice is mailed to the
3 person. The notice shall be mailed to the person at the last
4 known address shown on the person's driving record. The notice
5 shall be deemed received three days after mailing unless returned
6 by the postal authorities. No such individual shall reapply for
7 a driver's examination, instruction permit, driver's license, or
8 nondriver's license until the period of denial is completed. No
9 individual who is denied the driving privilege under this section
10 shall be eligible for a limited driving privilege issued under
11 section 302.309.

12 5. All appeals of denials under this section shall be made
13 as required by section 302.311.

14 6. The period of limitation for criminal prosecution under
15 this section shall be extended under subdivision (1) of
16 subsection 3 of section 556.036, RSMo.

17 7. The director may promulgate rules and regulations
18 necessary to administer and enforce this section. No rule or
19 portion of a rule promulgated pursuant to the authority of this
20 section shall become effective unless it has been promulgated
21 pursuant to chapter 536, RSMo.

22 302.173. 1. Any applicant for a license, who does not
23 possess a valid license issued pursuant to the laws of this
24 state, another state, or a country which has a reciprocal
25 agreement with the state of Missouri regarding the exchange of

1 licenses pursuant to section 302.172 shall be examined as herein
2 provided. Any person who has failed to renew such person's
3 license on or before the date of its expiration or within six
4 months thereafter must take the complete examination. Any active
5 member of the armed forces, their adult dependents or any active
6 member of the peace corps may apply for a renewal license without
7 examination of any kind, unless otherwise required by sections
8 302.700 to 302.780, provided the renewal application shows that
9 the previous license had not been suspended or revoked. Any
10 person honorably discharged from the armed forces of the United
11 States who held a valid license prior to being inducted may apply
12 for a renewal license within sixty days after such person's
13 honorable discharge without submitting to any examination of such
14 person's ability to safely operate a motor vehicle over the
15 highways of this state unless otherwise required by sections
16 302.700 to 302.780, other than the vision test provided in
17 section 302.175, unless the facts set out in the renewal
18 application or record of convictions on the expiring license, or
19 the records of the director show that there is good cause to
20 authorize the director to require the applicant to submit to the
21 complete examination. No applicant for a renewal license shall
22 be required to submit to any examination of his or her ability to
23 safely operate a motor vehicle over the highways of this state
24 unless otherwise required by sections 302.700 to 302.780 or
25 regulations promulgated thereunder, other than a test of the

1 applicant's ability to understand highway signs regulating,
2 warning or directing traffic and the vision test provided in
3 section 302.175, unless the facts set out in the renewal
4 application or record of convictions on the expiring license, or
5 the records of the director show that there is good cause to
6 authorize the director to require the applicant to submit to the
7 complete examination. The examination shall be made available in
8 each county. Reasonable notice of the time and place of the
9 examination shall be given the applicant by the person or officer
10 designated to conduct it. The complete examination shall include
11 a test of the applicant's natural or corrected vision as
12 prescribed in section 302.175, the applicant's ability to
13 understand highway signs regulating, warning or directing
14 traffic, the applicant's practical knowledge of the traffic laws
15 of this state, and an actual demonstration of ability to exercise
16 due care in the operation of a motor vehicle of the
17 classification for which the license is sought. When an
18 applicant for a license has a license from a state which has
19 requirements for issuance of a license comparable to the Missouri
20 requirements or a license from a country which has a reciprocal
21 agreement with the state of Missouri regarding the exchange of
22 licenses pursuant to section 302.172 and such license has not
23 expired more than six months prior to the date of application for
24 the Missouri license, the director may waive the test of the
25 applicant's practical knowledge of the traffic laws of this

1 state, and the requirement of actual demonstration of ability to
2 exercise due care in the operation of a motor vehicle. If the
3 director has reasonable grounds to believe that an applicant is
4 suffering from some known physical or mental ailment which
5 ordinarily would interfere with the applicant's fitness to
6 operate a motor vehicle safely upon the highways, the director
7 may require that the examination include a physical or mental
8 examination by a licensed physician of the applicant's choice, at
9 the applicant's expense, to determine the fact. The director
10 shall prescribe regulations to ensure uniformity in the
11 examinations and in the grading thereof and shall prescribe and
12 furnish all forms to the members of the highway patrol and to
13 other persons authorized to conduct examinations as may be
14 necessary to enable the officer or person to properly conduct the
15 examination. The records of the examination shall be forwarded
16 to the director who shall not issue any license hereunder if in
17 the director's opinion the applicant is not qualified to operate
18 a motor vehicle safely upon the highways of this state.

19 2. When the examiner has reasonable grounds to believe that
20 an individual has committed fraud or deception during the
21 examination process, the license examiner shall immediately
22 forward to the director all information relevant to any fraud or
23 deception, including but not limited to, a statement of the
24 examiner's grounds for belief that the person committed or
25 attempted to commit fraud or deception in the written, skills, or

1 vision examination.

2 3. The director of revenue shall delegate the power to
3 conduct the examinations required for a license or permit to any
4 member of the highway patrol or any person employed by the
5 highway patrol. The powers delegated to any examiner may be
6 revoked at any time by the director of revenue upon notice.

7 [3.] 4. Notwithstanding the requirements of subsections 1
8 and [2] 3 of this section, the successful completion of a
9 motorcycle rider training course approved pursuant to sections
10 302.133 to [302.138] 302.137 shall constitute an actual
11 demonstration of the person's ability to exercise due care in the
12 operation of a motorcycle or motortricycle, and no further
13 driving test shall be required to obtain a motorcycle or
14 motortricycle license or endorsement.

15 302.177. 1. To all applicants for a license or renewal to
16 transport persons or property classified in section 302.015 who
17 are at least twenty-one years of age and under the age of
18 seventy, and who submit a satisfactory application and meet the
19 requirements set forth in sections 302.010 to 302.605, the
20 director shall issue or renew a license upon the payment of a fee
21 of thirty dollars; except that, no license shall be issued if an
22 applicant's license is currently suspended, taken up, canceled,
23 revoked, or deposited in lieu of bail.

24 2. To all applicants for a license or renewal who are
25 between twenty-one and sixty-nine years of age, and who submit a

1 satisfactory application and meet the requirements set forth in
2 sections 302.010 to 302.605, the director shall issue or renew a
3 license upon the payment of a fee of fifteen dollars; except
4 that, no license shall be issued if an applicant's license is
5 currently suspended, taken up, canceled, revoked, or deposited in
6 lieu of bail.

7 3. All licenses issued pursuant to subsections 1 and 2 of
8 this section shall expire on the applicant's birthday in the
9 sixth year after issuance and must be renewed on or before the
10 date of expiration, which date shall be shown on the license.
11 The director shall have the authority to stagger the expiration
12 date of driver's licenses and nondriver's licenses being issued
13 or renewed over a six-year period.

14 4. To all applicants for a license or renewal to transport
15 persons or property classified in section 302.015 who are between
16 eighteen and twenty-one years of age or greater than sixty-nine
17 years of age, and who submit a satisfactory application and meet
18 the requirements set forth in sections 302.010 to 302.605, the
19 director shall issue or renew a license upon the payment of a fee
20 of fifteen dollars.

21 5. To all other applicants for a license or renewal less
22 than twenty-one years of age or greater than sixty-nine years of
23 age who submit a satisfactory application and meet the
24 requirements set forth in sections 302.010 to 302.605, the
25 director shall issue or renew a license upon the payment of a fee

1 of seven dollars and fifty cents. All licenses issued pursuant
2 to this subsection and subsection 4 of this section shall expire
3 on the applicant's birthday in the third year after issuance.

4 6. [The director of revenue may adopt any rules and
5 regulations necessary to carry out the provisions of this
6 section. No rule or portion of a rule promulgated pursuant to
7 the authority of this section shall become effective unless it
8 has been promulgated pursuant to the provisions of chapter 536,
9 RSMo.] The director shall not issue a driver's license for a
10 period that exceeds an applicant's lawful presence in the United
11 States. The fee for a license issued for a period of less than
12 three years pursuant to subsection 4 of this section shall be
13 fifteen dollars. The fee for a license issued for less than
14 three years pursuant to subsection 1 of this section shall be
15 thirty dollars. The fee for a license issued for less than six
16 years pursuant to subsection 2 of this section shall be fifteen
17 dollars. The director may establish procedures to verify the
18 lawful presence of the applicant and establish the duration of
19 any driver's license issued under this section.

20 302.181. 1. The license issued pursuant to the provisions
21 of sections 302.010 to 302.340 shall be in such form as the
22 director shall prescribe, but the license shall be a card made of
23 plastic or other comparable material. All licenses shall be
24 manufactured of materials and processes that will prohibit, as
25 nearly as possible, the ability to reproduce, alter, counterfeit,

1 forge or duplicate any license without ready detection. All
2 licenses shall bear the licensee's Social Security number, if the
3 licensee has one, and if not, a notarized affidavit must be
4 signed by the licensee stating that the licensee does not possess
5 a Social Security number, or, if applicable, a certified
6 statement must be submitted as provided in subsection 4 of this
7 section. The license shall also bear the expiration date of the
8 license, the classification of the license, the name, date of
9 birth, residence address including the county of residence or a
10 code number corresponding to such county established by the
11 department, and brief description and colored photograph or
12 digitized image of the licensee, and a facsimile of the signature
13 of the licensee. The director shall provide by administrative
14 rule the procedure and format for a licensee to indicate on the
15 back of the license together with the designation for an
16 anatomical gift as provided in section 194.240, RSMo, the name
17 and address of the person designated pursuant to sections 404.800
18 to 404.865, RSMo, as the licensee's attorney in fact for the
19 purposes of a durable power of attorney for health care
20 decisions. No license shall be valid until it has been so signed
21 by the licensee. If any portion of the license is prepared by a
22 private firm, any contract with such firm shall be made in
23 accordance with the competitive purchasing procedures as
24 established by the state director of the division of purchasing.
25 For all licenses issued or renewed after March 1, 1992, the

1 applicant's Social Security number shall serve as the applicant's
2 license number. Where the licensee has no Social Security
3 number, or where the licensee is issued a license without a
4 Social Security number in accordance with subsection 4 of this
5 section, the director shall issue a license number for the
6 licensee and such number shall also include an indicator showing
7 that the number is not a Social Security number.

8 2. All film involved in the production of photographs for
9 licenses shall become the property of the department of revenue.

10 3. The license issued shall be carried at all times by the
11 holder thereof while driving a motor vehicle, and shall be
12 displayed upon demand of any officer of the highway patrol, or
13 any police officer or peace officer, or any other duly authorized
14 person, for inspection when demand is made therefor. Failure of
15 any operator of a motor vehicle to exhibit his or her license to
16 any duly authorized officer shall be presumptive evidence that
17 such person is not a duly licensed operator.

18 4. The director of revenue shall issue a commercial or
19 noncommercial driver's license without a Social Security number
20 to an applicant therefor, who is otherwise qualified to be
21 licensed, upon presentation to the director of a certified
22 statement that the applicant objects to the display of the Social
23 Security number on the license. The director shall assign an
24 identification number, that is not based on a Social Security
25 number, to the applicant which shall be displayed on the license

1 in lieu of the Social Security number.

2 5. The director of revenue shall not issue a license
3 without [the] a facial photograph [to an applicant therefor, who
4 is otherwise qualified to be licensed, upon presentation to the
5 director of a statement on forms prescribed and made available by
6 the department of revenue which states that the applicant is a
7 member of a specified religious denomination which prohibits
8 photographs of members as being contrary to its religious tenets.
9 The license shall state thereon that no photograph is required
10 because of the religious affiliation of the licensee. The
11 director of revenue shall establish guidelines and furnish to
12 each circuit court such forms as the director deems necessary to
13 comply with this subsection. The circuit court shall not charge
14 or receive any fee or court cost for the performance of any duty
15 or act pursuant to this subsection] or digital image of the
16 license applicant, except as provided pursuant to subsection 8 of
17 this section. A photograph or digital image of the applicant's
18 full facial features shall be taken in a manner prescribed by the
19 director. No photograph or digital image will be taken wearing
20 anything which cloaks the facial features of the individual.

21 6. The department of revenue may issue a temporary license
22 without the photograph or with the last photograph or digital
23 image in the department's records to [out-of-state applicants
24 and] members of the armed forces, except that where such
25 temporary license is issued it shall be valid only until the

1 applicant shall have had time to appear and have his or her
2 picture taken and a license with his or her photograph issued.

3 7. The department of revenue shall issue upon request a
4 nondriver's license card containing essentially the same
5 information and photograph or digital image, except as provided
6 pursuant to subsection 8 of this section, as the driver's license
7 upon payment of six dollars [if the applicant is under the age of
8 sixty-five. An applicant who is sixty-five years of age or older
9 may purchase a nondriver's license card without a photograph for
10 one dollar or a nondriver's license card with a photograph for
11 six dollars]. All nondriver's licenses shall expire on the
12 applicant's birthday in the sixth year after issuance. A person
13 who has passed his or her seventieth birthday shall upon
14 application be issued a nonexpiring nondriver's license card.
15 The nondriver's license card shall be used for identification
16 purposes only and shall not be valid as a license.

17 8. If otherwise eligible, an applicant may receive a
18 driver's license or nondriver's license without a photograph or
19 digital image of the applicant's full facial features except that
20 such applicant's photograph or digital image shall be taken and
21 maintained by the director and not printed on such license. In
22 order to qualify for a license without a photograph or digital
23 image pursuant to this section the applicant must:

24 (1) Present a form provided by the department of revenue
25 requesting the applicant's photograph be omitted from the license

1 or nondriver's license due to religious affiliations. The form
2 shall be signed by the applicant and another member of the
3 religious tenant verifying the photograph or digital image
4 exemption on the license or nondriver's license is required as
5 part of their religious affiliation. The required signatures on
6 the prescribed form shall be properly notarized;

7 (2) Provide satisfactory proof to the director that the
8 applicant has been a United States citizen for at least five
9 years and a resident of this state for at least one year. An
10 applicant moving to this state possessing a valid drivers license
11 from another state without a photograph, if otherwise qualified
12 may immediately apply for a license or nondriver's license under
13 this section. The director may establish rules necessary to
14 determine satisfactory proof of citizenship and residency
15 pursuant to this section;

16 (3) Applications for a driver's license or nondriver's
17 license without a photograph or digital image must be made in
18 person at a license office determined by the director. The
19 director is authorized to limit the number of offices that may
20 issue a driver's or nondriver's license without a photograph or
21 digital image pursuant to this section.

22 [8.] 9. No rule or portion of a rule promulgated pursuant
23 to the authority of this chapter shall become effective unless it
24 is promulgated pursuant to the provisions of chapter 536, RSMo.

25 302.720. 1. Except when operating under an instruction

1 permit as described in this section, no person may drive a
2 commercial motor vehicle unless the person has been issued a
3 commercial driver's license with applicable endorsements valid
4 for the type of vehicle being operated as specified in sections
5 302.700 to 302.780. A commercial driver's instruction permit
6 shall allow the holder of a valid license to operate a commercial
7 motor vehicle when accompanied by the holder of a commercial
8 driver's license valid for the vehicle being operated and who
9 occupies a seat beside the individual, or reasonably near the
10 individual in the case of buses, for the purpose of giving
11 instruction in driving the commercial motor vehicle. A
12 commercial driver's instruction permit shall be valid for the
13 vehicle being operated for a period of not more than six months,
14 and shall not be issued until the permit holder has met all other
15 requirements of sections 302.700 to 302.780, except for the
16 driving test. A permit holder, unless otherwise disqualified,
17 may be granted one six-month renewal within a one-year period.
18 The fee for such permit or renewal shall be five dollars. In the
19 alternative, a commercial driver's instruction permit shall be
20 issued for a thirty-day period to allow the holder of a valid
21 driver's license to operate a commercial motor vehicle if the
22 applicant has completed all other requirements except the driving
23 test. The permit may be renewed for one additional thirty-day
24 period and the fee for the permit and for renewal shall be five
25 dollars.

1 2. No person may be issued a commercial driver's license
2 until he has passed written and driving tests for the operation
3 of a commercial motor vehicle which complies with the minimum
4 federal standards established by the secretary and has satisfied
5 all other requirements of the Commercial Motor Vehicle Safety Act
6 of 1986 (Title XII of Pub. Law 99-570), as well as any other
7 requirements imposed by state law. Applicants for a hazardous
8 materials endorsement must also meet the requirements of the U.S.
9 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
10 and required by regulations promulgated by the secretary.
11 Nothing contained in this subsection shall be construed as
12 prohibiting the director from establishing alternate testing
13 formats for those who are functionally illiterate; provided,
14 however, that any such alternate test must comply with the
15 minimum requirements of the Commercial Motor Vehicle Safety Act
16 of 1986 (Title XII of Pub. Law 99-570) as established by the
17 secretary.

18 (1) The written and driving tests shall be held at such
19 times and in such places as the superintendent may designate. A
20 twenty-five dollar examination fee shall be paid by the applicant
21 upon completion of any written or driving test. The director
22 shall delegate the power to conduct the examinations required
23 under sections 302.700 to 302.780 to any member of the highway
24 patrol or any person employed by the highway patrol qualified to
25 give driving examinations.

1 (2) The director shall adopt and promulgate rules and
2 regulations governing the certification of third-party testers by
3 the department of revenue. Such rules and regulations shall
4 substantially comply with the requirements of 49 CFR Part 383,
5 Section 383.75. A certification to conduct third-party testing
6 shall be valid for one year, and the department shall charge a
7 fee of one hundred dollars to issue or renew the certification of
8 any third-party tester. Any third-party tester who violates any
9 of the rules and regulations adopted and promulgated pursuant to
10 this section shall be subject to having his certification revoked
11 by the department. The department shall provide written notice
12 and an opportunity for the third-party tester to be heard in
13 substantially the same manner as provided in chapter 536, RSMo.
14 If any applicant submits evidence that he has successfully
15 completed a test administered by a third-party tester, the actual
16 driving test for a commercial driver's license may then be
17 waived.

18 (3) Every applicant for renewal of a commercial driver's
19 license shall provide such certifications and information as
20 required by the secretary and if such person transports a
21 hazardous material must also meet the requirements of the U.S.
22 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
23 and required by regulations promulgated by the secretary, such
24 person shall be required to take the written test for such
25 endorsement. A twenty-five dollar examination fee shall be paid

1 for upon completion of such tests.

2 3. A commercial driver's license may not be issued to a
3 person while the person is disqualified from driving a commercial
4 motor vehicle, when a disqualification is pending in any state or
5 while the person's driver's license is suspended, revoked, or
6 canceled in any state; nor may a commercial driver's license be
7 issued unless the person first surrenders in a manner prescribed
8 by the director any commercial driver's license issued by another
9 state, which license shall be returned to the issuing state for
10 cancellation.

11 4. The director shall not issue an instruction permit under
12 this section unless the director verifies that the applicant is
13 lawfully present in the United States before accepting the
14 application. The director may, by rule or regulation, establish
15 procedures to verify the lawful presence of the applicant under
16 this section. No rule or portion of a rule promulgated pursuant
17 to the authority of this section shall become effective unless it
18 has been promulgated pursuant to chapter 536, RSMo.

19 302.735. 1. The application for a commercial driver's
20 license shall include, but not be limited to, the legal name,
21 mailing and residence address, if different, a physical
22 description of the person, including sex, height, weight and eye
23 color, the person's Social Security number, date of birth and any
24 other information deemed appropriate by the director.

25 2. The application for a commercial driver's license or

1 renewal shall be accompanied by the payment of a fee of forty
2 dollars. The fee for a duplicate commercial driver's license
3 shall be twenty dollars. A commercial driver's license shall
4 expire on the applicant's birthday in the sixth year after
5 issuance and must be renewed on or before the date of expiration.
6 The director shall have the authority to stagger the issuance or
7 renewal of commercial driver's license applicants over a six-year
8 period. When a person changes such person's name an application
9 for a duplicate license shall be made to the director of revenue.
10 When a person changes such person's mailing address or residence
11 the applicant shall notify the director of revenue of said
12 change, however, no application for a duplicate license is
13 required. To all applicants for a commercial license or renewal
14 who are between eighteen and twenty-one years of age and seventy
15 years of age and older, the application shall be accompanied by a
16 fee of twenty dollars. A commercial license issued pursuant to
17 an applicant less than twenty-one years of age and seventy years
18 of age and older shall expire on the applicant's birthday in the
19 third year after issuance.

20 3. Within thirty days after moving to this state, the
21 holder of a commercial driver's license shall apply for a
22 commercial driver's license in this state. The applicant shall
23 meet all other requirements of sections 302.700 to 302.780,
24 except that the director may waive the driving test for a
25 commercial driver's license as required in section 302.720 if the

1 applicant for a commercial driver's license has a valid
2 commercial driver's license from a state which has requirements
3 for issuance of such license comparable to those in this state.

4 4. Any person who falsifies any information in an
5 application or test for a commercial driver's license shall not
6 be licensed to operate a commercial motor vehicle, or the
7 person's commercial driver's license shall be canceled, for a
8 period of one year after the director discovers such
9 falsification.

10 5. The director shall not issue a commercial driver's
11 license under this section unless the director verifies that the
12 applicant is lawfully present in the United States before
13 accepting the application. If lawful presence is granted for a
14 temporary period, no commercial driver's license shall be issued.
15 The director may, by rule or regulation, establish procedures to
16 verify the lawful presence of the applicant and establish the
17 duration of any commercial driver's license issued under this
18 section. No rule or portion of a rule promulgated pursuant to
19 the authority of this section shall become effective unless it
20 has been promulgated pursuant to chapter 536, RSMo.

21 304.012. 1. Every person operating a motor vehicle on the
22 roads and highways of this state shall drive the vehicle in a
23 careful and prudent manner and at a rate of speed so as not to
24 endanger the property of another or the life or limb of any
25 person and shall exercise the highest degree of care.

1 2. Any person who violates the provisions of this section
2 is guilty of a class B misdemeanor, unless an accident is
3 involved then [it shall be] such person is guilty of a class A
4 misdemeanor. If the accident results in a death, the person is
5 guilty of a class D felony.

6 304.021. Any wrecker, tow truck, or rollback, requested by
7 law enforcement pursuant to this chapter, shall be considered an
8 emergency vehicle, after such vehicle arrives at the scene of a
9 vehicle accident. A vehicle containing additional equipment for
10 emergency clean-ups that arrives to assist the above vehicles
11 shall also be considered an emergency vehicle pursuant to this
12 section. The vehicles in this section shall only be considered
13 emergency vehicles after arriving and when working the scene at
14 the direction and supervision of law enforcement.

15 304.155. 1. Any law enforcement officer within the
16 officer's jurisdiction, or an officer of a government agency
17 where that agency's real property is concerned, may authorize a
18 towing company to remove to a place of safety:

19 (1) Any abandoned property on the right-of-way of:

20 (a) Any interstate highway or freeway in an urbanized area,
21 left unattended for ten hours, or within two hours if a law
22 enforcement officer determines that the abandoned property is a
23 serious hazard to other motorists;

24 (b) Any interstate highway or freeway outside of an
25 urbanized area, left unattended for forty-eight hours, or within

1 two hours if a law enforcement officer determines that the
2 abandoned property is a serious hazard to other motorists;

3 (c) Any state highway other than an interstate highway or
4 freeway in an urbanized area, left unattended for more than ten
5 hours; or

6 (d) Any state highway other than an interstate highway or
7 freeway outside of an urbanized area, left unattended for more
8 than forty-eight hours; provided that commercial motor vehicles
9 not hauling waste designated as hazardous under 49 U.S.C. 5103(a)
10 may only be removed under this subdivision to a place of safety
11 until the owner or owner's representative has had a reasonable
12 opportunity to contact a towing company of choice;

13 (2) Any unattended abandoned property illegally left
14 standing upon any highway or bridge if the abandoned property is
15 left in a position or under such circumstances as to obstruct the
16 normal movement of traffic where there is no reasonable
17 indication that the person in control of the property is
18 arranging for its immediate control or removal;

19 (3) Any abandoned property which has been abandoned under
20 section 577.080, RSMo;

21 (4) Any abandoned property which has been reported as
22 stolen or taken without consent of the owner;

23 (5) Any abandoned property for which the person operating
24 such property is arrested for an alleged offense for which the
25 officer is required to take the person into custody and where

1 such person is unable to arrange for the property's timely
2 removal;

3 (6) Any abandoned property which due to any other state law
4 or local ordinance is subject to towing because of the owner's
5 outstanding traffic or parking violations;

6 (7) Any abandoned property left unattended in violation of
7 a state law or local ordinance where signs have been posted
8 giving notice of the law or where the violation causes a safety
9 hazard; or

10 (8) Any abandoned property illegally left standing on the
11 waters of this state as defined in section 306.010, RSMo, where
12 the abandoned property is obstructing the normal movement of
13 traffic, or where the abandoned property has been unattended for
14 more than ten hours or is floating loose on the water.

15 2. The state transportation department may immediately
16 remove any abandoned, unattended, wrecked, burned or partially
17 dismantled property, spilled cargo or other personal property
18 from the roadway of any state highway if the abandoned property,
19 cargo or personal property is creating a traffic hazard because
20 of its position in relation to the state highway. In the event
21 the property creating a traffic hazard is a commercial motor
22 vehicle, as defined in section 302.700, RSMo, the department's
23 authority under this subsection shall be limited to authorizing a
24 towing company to remove the commercial motor vehicle to a place
25 of safety, except that the owner of the commercial motor vehicle

1 or the owner's designated representative shall have a reasonable
2 opportunity to contact a towing company of choice. The
3 provisions of this subsection shall not apply to vehicles
4 transporting any material which has been designated as hazardous
5 under Section 5103(a) of Title 49, U.S.C.

6 3. Any law enforcement agency authorizing a tow pursuant to
7 this section in which the abandoned property is moved from the
8 immediate vicinity shall complete a crime inquiry and inspection
9 report. Any state or federal government agency other than a law
10 enforcement agency authorizing a tow pursuant to this section in
11 which the abandoned property is moved away from the immediate
12 vicinity in which it was abandoned shall report the towing to the
13 state highway patrol or water patrol within two hours of the tow
14 along with a crime inquiry and inspection report as required in
15 this section. Any local government agency, other than a law
16 enforcement agency, authorizing a tow pursuant to this section
17 where property is towed away from the immediate vicinity shall
18 report the tow to the local law enforcement agency within two
19 hours along with a crime inquiry and inspection report.

20 4. Neither the law enforcement officer, government agency
21 official nor anyone having custody of abandoned property under
22 his direction shall be liable for any damage to such abandoned
23 property occasioned by a removal authorized by this section or by
24 ordinance of a county or municipality licensing and regulating
25 the sale of abandoned property by the municipality, other than

1 damages occasioned by negligence or by willful or wanton acts or
2 omissions.

3 5. The owner of abandoned property removed as provided in
4 this section or in section 304.157 shall be responsible for
5 payment of all reasonable charges for towing and storage of such
6 abandoned property as provided in section 304.158.

7 6. Upon the towing of any abandoned property pursuant to
8 this section or under authority of a law enforcement officer or
9 local government agency pursuant to section 304.157, the law
10 enforcement agency that authorized such towing or was properly
11 notified by another government agency of such towing shall
12 promptly make an inquiry with the national crime information
13 center and any statewide Missouri law enforcement computer system
14 to determine if the abandoned property has been reported as
15 stolen and shall enter the information pertaining to the towed
16 property into the statewide law enforcement computer system. If
17 the abandoned property is not claimed within ten working days of
18 the towing, the law enforcement agency shall submit a crime
19 inquiry and inspection report to the director of revenue. A
20 towing company in possession of abandoned property after ten
21 working days shall report such fact to the law enforcement agency
22 with which the crime inquiry and inspection report was filed.
23 The crime inquiry and inspection report shall be designed by the
24 director of revenue and shall include the following:

25 (1) The year, model, make and property identification

1 number of the property and the owner and any lienholders, if
2 known;

3 (2) A description of any damage to the property noted by
4 the officer authorizing the tow;

5 (3) The license plate or registration number and the state
6 of issuance, if available;

7 (4) The storage location of the towed property;

8 (5) The name, telephone number and address of the towing
9 company;

10 (6) The date, place and reason for the towing of the
11 abandoned property;

12 (7) The date of the inquiry of the national crime
13 information center, any statewide Missouri law enforcement
14 computer system and any other similar system which has titling
15 and registration information to determine if the abandoned
16 property had been stolen. This information shall be entered only
17 by the law enforcement agency making the inquiry;

18 (8) The signature and printed name of the officer
19 authorizing the tow and the towing operator; and

20 (9) Any additional information the director of revenue
21 deems appropriate.

22 7. One copy of the crime inquiry and inspection report
23 shall remain with the agency which authorized the tow. One copy
24 shall be provided to and retained by the storage facility and one
25 copy shall be retained by the towing facility in an accessible

1 format in the business records for a period of three years from
2 the date of the tow or removal.

3 8. The owner of such abandoned property, or the holder of a
4 valid security interest of record, may reclaim it from the towing
5 company upon proof of ownership or valid security interest of
6 record and payment of all reasonable charges for the towing and
7 storage of the abandoned property.

8 9. Any person who removes abandoned property at the
9 direction of a law enforcement officer or an officer of a
10 government agency where that agency's real property is concerned
11 as provided in this section shall have a lien for all reasonable
12 charges for the towing and storage of the abandoned property
13 until possession of the abandoned property is voluntarily
14 relinquished to the owner of the abandoned property or to the
15 holder of a valid security interest of record. Any personal
16 property within the abandoned property need not be released to
17 the owner thereof until the reasonable or agreed charges for such
18 recovery, transportation or safekeeping have been paid or
19 satisfactory arrangements for payment have been made, except that
20 any medication prescribed by a physician shall be released to the
21 owner thereof upon request. The company holding or storing the
22 abandoned property shall either release the personal property to
23 the owner of the abandoned property or allow the owner to inspect
24 the property and provide an itemized receipt for the contents.
25 The company holding or storing the property shall be strictly

1 liable for the condition and safe return of the personal
2 property. Such lien shall be enforced in the manner provided
3 under section 304.156.

4 10. Towing companies shall keep a record for three years on
5 any abandoned property towed and not reclaimed by the owner of
6 the abandoned property. Such record shall contain information
7 regarding the authorization to tow, copies of all correspondence
8 with the department of revenue concerning the abandoned property,
9 and information concerning the final disposition of the
10 possession of the abandoned property.

11 11. If a lienholder repossesses any motor vehicle, trailer,
12 all-terrain vehicle, outboard motor or vessel without the
13 knowledge or cooperation of the owner, then the reposessor shall
14 notify the local law enforcement agency where the repossession
15 occurred within two hours of the repossession and shall further
16 provide the local law enforcement agency with any additional
17 information the agency deems appropriate. The local law
18 enforcement agency shall make an inquiry with the national crime
19 information center and the Missouri statewide law enforcement
20 computer system and shall enter the repossessed vehicle into the
21 statewide law enforcement computer system.

22 12. Notwithstanding the provisions of section 301.227,
23 RSMo, any towing company who has complied with the notification
24 provisions in section 304.156, including notice that any property
25 remaining unredeemed after forty-five days may be sold as scrap

1 property may then dispose of such property as provided in this
2 subsection. Such sale shall only occur if at least forty-five
3 days has passed since the date of such notification, the
4 abandoned property remains unredeemed with no satisfactory
5 arrangements made with the towing company for continued storage,
6 and the owner or holder of a security agreement has not requested
7 a hearing as provided in section 304.156. The towing company may
8 dispose of such abandoned property by selling the property on a
9 bill of sale as prescribed by the director of revenue to a scrap
10 metal operator for destruction purposes only. The towing company
11 shall forward a copy of the bill of sale provided by the scrap
12 metal operator to the director of revenue within two weeks of the
13 date of such sale. The towing company shall keep a record of
14 each such vehicle sold for destruction for three years that shall
15 be available for inspection by law enforcement and authorized
16 department of revenue officials. The record shall contain the
17 year, make, identification number of the property, date of sale,
18 and name of the purchasing scrap metal operator and copies of all
19 notifications issued by the towing company as required in this
20 chapter. Scrap metal operators shall keep a record of the
21 purchase of such property as provided in section 301.227, RSMo.

22 306.458. 1. A certificate of title for an outboard motor
23 or vessel issued in the names of two or more persons that does
24 not show on the face of the certificate that the persons hold
25 their interest in the outboard motor or vessel as tenants in

1 common, on death of one of the named persons, may be transferred
2 to the surviving owner or owners. On proof of death of one of
3 the persons in whose names the certificate was issued, surrender
4 of the outstanding certificate of title, and on application and
5 payment of the fee for an original certificate of title, the
6 director of revenue shall issue a new certificate for the
7 outboard motor or vessel to the surviving owner or owners; and
8 the current valid certificate of number shall be so transferred.
9 The directive to the director of revenue shall also permit the
10 beneficiary or beneficiaries to make one reassignment of the
11 original certificate of ownership upon the death of the owner to
12 another owner without transferring the certificate to the
13 beneficiary or beneficiaries' name.

14 2. A certificate of title for an outboard motor or vessel,
15 issued in the names of two or more persons that shows on its face
16 that the persons hold their interest in the outboard motor or
17 vessel as tenants in common, on death of one of the named
18 persons, may be transferred by the director of revenue on
19 application by the surviving owners and the personal
20 representative or successors of the deceased owner. Upon being
21 presented proof of death of one of the persons in whose names the
22 certificate of title was issued; surrender of the outstanding
23 certificate of title, and on application and payment of the fee
24 for an original certificate of title, the director of revenue
25 shall issue a new certificate of title for the outboard motor or

1 vessel to the surviving owners and personal representative or
2 successors of the deceased owner; and the current valid
3 certificate of number shall be transferred.

4 306.461. 1. A sole owner of an outboard motor or vessel,
5 and multiple owners of an outboard motor or vessel who hold their
6 interest as joint tenants with right of survivorship or as
7 tenants by the entirety, on application and payment of the fee
8 required for an original certificate of title, may request the
9 director of revenue to issue a certificate of title for the
10 outboard motor or vessel in beneficiary form which includes a
11 directive to the director of revenue to transfer the certificate
12 of title on death of the sole owner or on death of all multiple
13 owners to one beneficiary or to two or more beneficiaries as
14 joint tenants with right of survivorship or as tenants by the
15 entirety named on the face of the certificate.

16 2. A certificate of title in beneficiary form may not be
17 issued to persons who hold their interest in an outboard motor or
18 vessel as tenants in common.

19 3. A certificate of title issued in beneficiary form shall
20 include after the name of the owner, or after the names of
21 multiple owners, the words "transfer on death to" or the
22 abbreviation "TOD" followed by the name of the beneficiary or
23 beneficiaries.

24 4. (1) During the lifetime of a sole owner and during the
25 lifetime of all multiple owners, the signature or consent of the

1 beneficiary or beneficiaries shall not be required for any
2 transaction relating to the outboard motor or vessel for which a
3 certificate of title in beneficiary form has been issued.

4 (2) A certificate of title in beneficiary form may be
5 revoked or the beneficiary or beneficiaries changed at any time
6 before the death of the sole owner or surviving multiple owner
7 only by the following methods:

8 (a) By a sale of the outboard motor or vessel with proper
9 assignment and delivery of the certificate of title to another
10 person; or

11 (b) By surrender of the outstanding certificate of title
12 and filing an application to reissue the certificate of title
13 with no designation of a beneficiary or with the designation of a
14 different beneficiary or beneficiaries with the director of
15 revenue in proper form and accompanied by the payment of the fee
16 for an original certificate of title.

17 (3) The beneficiary's or beneficiaries' interest in the
18 outboard motor or vessel at death of the owner or surviving owner
19 shall be subject to any contract of sale, assignment of ownership
20 or security interest to which the owner or owners of the outboard
21 motor or vessel were subject during their lifetime.

22 (4) The designation of a beneficiary or beneficiaries in a
23 certificate of title issued in beneficiary form may not be
24 changed or revoked by a will, any other instrument, or a change
25 in circumstances, or otherwise be changed or revoked except as

1 provided by subdivision (2) of this subsection.

2 5. (1) On proof of death of one of the owners of two or
3 more multiple owners, or of a sole owner, surrender of the
4 outstanding certificate of title, and on application and payment
5 of the fee for an original certificate of title, the director of
6 revenue shall issue a new certificate of title for the outboard
7 motor or vessel to the surviving owner or owners or, if none, to
8 the surviving beneficiary or beneficiaries, subject to any
9 outstanding security interest; and the current valid certificate
10 of number shall be so transferred. If the surviving beneficiary
11 or beneficiaries makes a request of the director of revenue, the
12 director may allow the beneficiary or beneficiaries to make one
13 assignment of title.

14 (2) The director of revenue may rely on a death certificate
15 or record or report that constitutes prima facie proof or
16 evidence of death under subdivisions (1) and (2) of section
17 472.290, RSMo.

18 (3) The transfer of an outboard motor or vessel at death
19 pursuant to this section is effective by reason of sections
20 301.675 to 301.682, RSMo, and sections 306.455 to 306.465, and is
21 not to be considered testamentary, or to be subject to the
22 requirements of section 473.087, RSMo, or section 474.320, RSMo.

23 307.100. 1. Any lighted lamp or illuminating device upon a
24 motor vehicle other than headlamps, spotlamps, front direction
25 signals or auxiliary lamps which projects a beam of light of an

1 intensity greater than three hundred candlepower shall be so
2 directed that no part of the beam will strike the level of the
3 roadway on which the vehicle stands at a distance of more than
4 seventy-five feet from the vehicle. Alternately flashing warning
5 signals may be used on school buses when used for school purposes
6 and on motor vehicles when used to transport United States mail
7 from post offices to boxes of addressees thereof and on emergency
8 vehicles as defined in section 304.022, RSMo, [and] on buses
9 owned or operated by churches, mosques, synagogues, temples or
10 other houses of worship, and on commercial passenger transport
11 vehicles or railroad passenger cars that are stopped to load or
12 unload passengers, but are prohibited on other motor vehicles,
13 motorcycles and motor-drawn vehicles except as a means for
14 indicating a right or left turn.

15 2. Notwithstanding the provisions of section 307.120,
16 violation of this section is an infraction.

17 407.567. 1. If the manufacturer, through its authorized
18 dealer or its agent, cannot conform the new motor vehicle to any
19 applicable express warranty by repairing or correcting any
20 default or condition which impairs the use, market value, or
21 safety of the new motor vehicle to the consumer after a
22 reasonable number of attempts, the manufacturer shall, at its
23 option, either replace the new motor vehicle with a comparable
24 new vehicle acceptable to the consumer, or take title of the
25 vehicle from the consumer and refund to the consumer the full

1 purchase price, including all reasonably incurred collateral
2 charges, less a reasonable allowance for the consumer's use of
3 the vehicle. The subtraction of a reasonable allowance for use
4 shall apply when either a replacement or refund of the new motor
5 vehicle occurs.

6 2. Refunds shall be made to the consumer and lienholder of
7 record, if any, as their interests may appear.

8 3. Upon taking the title to a vehicle under this section,
9 the manufacturer may apply to the department of revenue for a
10 reimbursement equal to any amounts refunded to a consumer for any
11 sales tax, license fees, registration fees, and title fees paid
12 by the consumer as a result of purchasing the vehicle. Upon the
13 receipt of a written request for a refund on a form prescribed by
14 the department of revenue, accompanied by satisfactory proof that
15 such sales tax and fees on the vehicle were paid when or after
16 the vehicle was purchased and that the manufacturer has refunded
17 such sales tax and fees to the consumer, lienholder, or lessor of
18 the vehicle, and accompanied by a signed statement from the
19 consumer that the consumer waives any right to obtain a refund
20 for the sales tax and fees from the department of revenue, the
21 department shall refund to the manufacturer an amount equal to
22 the amounts refunded to a consumer for such sales tax and fees
23 paid by the consumer as a result of purchasing the vehicle. If
24 the manufacturer replaces the vehicle and receives a refund of
25 the sales tax, the consumer shall pay sales tax on the purchase

1 price of the replacement vehicle plus any additional
2 consideration the consumer provides in exchange for the new
3 vehicle. If the manufacturer reduces the amount refunded to the
4 consumer by an amount allowed for a reasonable allowance for the
5 consumer's use of the vehicle, the sales tax refunded to the
6 manufacturer shall be reduced proportionately.

7 577.080. 1. A person commits the crime of abandoning a
8 motor vehicle if he abandons any motor vehicle on the
9 right-of-way of any public road or state highway or on or in any
10 of the waters in this state or on the banks of any stream, or on
11 any land or water owned, operated or leased by the state, any
12 board, department, agency or commission thereof, or any political
13 subdivision thereof or on any land or water owned, operated or
14 leased by the federal government or on any private real property
15 owned by another without his consent.

16 2. For purposes of this section, the last owner of record
17 of a motor vehicle found abandoned and not shown to be
18 transferred pursuant to sections 301.196 and 301.197, RSMo, shall
19 be deemed prima facie to have been the owner of such motor
20 vehicle at the time it was abandoned and to have been the person
21 who abandoned the motor vehicle or caused or procured its
22 abandonment. The registered owner of the abandoned motor vehicle
23 shall not be subject to the penalties provided by this section if
24 the motor vehicle was in the care, custody, or control of another
25 person at the time of the violation. In such instance the owner

1 shall submit such evidence in an affidavit permitted by the court
2 setting forth the name, address, and other pertinent information
3 of the person who leased, rented or otherwise had care, custody,
4 or control of the vehicle at the time of the alleged violation.
5 The affidavit submitted pursuant to this subsection shall be
6 admissible in a court proceeding adjudicating the alleged
7 violation and shall raise a rebuttable presumption that the
8 person identified in the affidavit was in actual control of the
9 vehicle. In such case, the court has the authority to terminate
10 the prosecution of the summons issued to the owner and issue a
11 summons to the person identified in the affidavit as the
12 operator. If the vehicle is alleged to have been stolen, the
13 owner of the vehicle shall submit proof that a police report was
14 filed in a timely manner indicating that the vehicle was stolen
15 at the time of the alleged violation.

16 3. Abandoning a motor vehicle is a class A misdemeanor.

17 4. Any person convicted pursuant to this section shall be
18 civilly liable for all towing, storage, and administrative costs
19 associated with the abandonment of the motor vehicle. Any
20 towing, storage, and administrative costs in excess of the value
21 of the abandoned motor vehicle that exist at the time the motor
22 vehicle is transferred pursuant to section 304.156 shall remain
23 the liability of the owner of the motor vehicle unless another
24 person was in charge or control of the motor vehicle at the time
25 of its abandonment, as provided by this section.

1 700.320. 1. The owner of any new or used manufactured
2 home, as defined in section 700.010, shall make application to
3 the director of revenue for an official certificate of title to
4 such manufactured home in the manner prescribed by law for the
5 acquisition of certificates of title to motor vehicles, and the
6 rules promulgated pursuant thereto. All fees required by section
7 301.190, RSMo, for the titling of motor vehicles and all
8 penalties provided by law for the failure to title motor vehicles
9 shall apply to persons required to make application for an
10 official certificate of title by this subsection. In case there
11 is any duplication in serial numbers assigned any manufactured
12 homes, or no serial number has been assigned by the manufacturer,
13 the director shall assign the serial numbers for the manufactured
14 homes involved.

15 2. At the time the owner of any new manufactured home, as
16 defined in section 700.010, which was acquired in a transaction
17 subject to sales tax under the Missouri sales tax law makes
18 application to the director of revenue for an official
19 certificate of title for such manufactured home, he shall present
20 to the director of revenue evidence satisfactory to the director
21 of revenue showing the purchase price exclusive of any charge
22 incident to the extension of credit paid by or charged to the
23 applicant in the acquisition of the manufactured home, or that no
24 sales tax was incurred in its acquisition, and if sales tax was
25 incurred in its acquisition, the applicant shall pay or cause to

1 be paid to the director of revenue the sales tax provided by the
2 Missouri sales tax law in addition to the registration fees now
3 or hereafter required according to law, and the director of
4 revenue shall not issue a certificate of title for any new
5 manufactured home subject to sales tax as provided in the
6 Missouri sales tax law until the tax levied for the sale of the
7 same under sections 144.010 to 144.510, RSMo, has been paid as
8 provided in this section. As used in this subsection, the term
9 "purchase price" shall mean the total amount of the contract
10 price agreed upon between the seller and the applicant in the
11 acquisition of the new manufactured home regardless of the medium
12 of payment therefor. In the event that the purchase price is
13 unknown or undisclosed, or that the evidence thereof is not
14 satisfactory to the director of revenue, the same shall be fixed
15 by appraisement by the director. The director of the department
16 of revenue shall endorse upon the official certificate of title
17 issued by him upon such application an entry showing that such
18 sales tax has been paid or that the manufactured home represented
19 by the certificate is exempt from sales tax and state the ground
20 for such exemption.

21 3. A certificate of title for a manufactured home issued in
22 the names of two or more persons that does not show on the face
23 of the certificate that the persons hold their interest in the
24 manufactured home as tenants in common, on death of one of the
25 named persons, may be transferred to the surviving owner or

1 owners. On proof of death of one of the persons in whose names
2 the certificate was issued, surrender of the outstanding
3 certificate of title, and on application and payment of the fee
4 for an original certificate of title, the director of revenue
5 shall issue a new certificate of title for the manufactured home
6 to the surviving owner or owners; and the current valid
7 certificate of number shall be so transferred.

8 4. A certificate of title for a manufactured home issued in
9 the names of two or more persons that shows on its face that the
10 persons hold their interest in the manufactured home as tenants
11 in common, on death of one of the named persons, may be
12 transferred by the director of revenue on application by the
13 surviving owners and the personal representative or successors of
14 the deceased owner. Upon being presented proof of death of one
15 of the persons in whose names the certificate of title was
16 issued, surrender of the outstanding certificate of title, and on
17 application and payment of the fee for an original certificate of
18 title, the director of revenue shall issue a new certificate of
19 title for the manufactured home to the surviving owners and
20 personal representative or successors of the deceased owner; and
21 the current valid certificate of number shall be so transferred.

22 Section 1. Sections 302.130, 302.171, 302.173, 302.177,
23 302.181, 302.720, and 302.735 shall become effective January 1,
24 2005.

25 Section 2. Notwithstanding any provision of chapter 307,

1 RSMo, to the contrary, any owner of a motor vehicle, as defined
2 in section 301.010, RSMo, may decline to have the inspection of
3 their mechanism and equipment performed, as required in section
4 307.350, RSMo. In the event that a motor vehicle owner declines
5 the inspection as authorized in this section, the motor vehicle
6 owner shall submit the fee required in section 307.365, RSMo, for
7 the official inspection of the vehicle, to the department of
8 revenue. The director of the department of revenue shall deposit
9 all funds received under this section to the credit of the state
10 road fund established in section 226.220, RSMo.

11 Section 3. 1. A sole owner of a manufactured home, and
12 multiple owners of a manufactured home who hold their interest as
13 joint tenants with right of survivorship or as tenants by the
14 entirety, on application and payment of the fee required for an
15 original certificate of ownership, may request the director of
16 revenue to issue a certificate of ownership for the manufactured
17 home in beneficiary form which includes a directive to the
18 director of revenue to transfer the certificate of ownership on
19 death of the sole owner or on death of all multiple owners to one
20 beneficiary or to two or more beneficiaries as joint tenants with
21 right of survivorship or as tenants by the entirety named on the
22 face of the certificate. The directive to the director of
23 revenue shall also permit the beneficiary or beneficiaries to
24 make one reassignment of the original certificate of ownership
25 upon the death of the owner to another owner without transferring

1 the certificate to the beneficiary or beneficiaries' name.

2 2. A certificate of ownership in beneficiary form may not
3 be issued to persons who hold their interest in a manufactured
4 home as tenants in common.

5 3. A certificate of ownership issued in beneficiary form
6 shall include after the name of the owner, or after the names of
7 multiple owners, the words "transfer on death to" or the
8 abbreviation "TOD" followed by the name of the beneficiary or
9 beneficiaries.

10 4. (1) During the lifetime of a sole owner and during the
11 lifetime of all multiple owners, the signature or consent of the
12 beneficiary or beneficiaries shall not be required for any
13 transaction relating to the manufactured home for which a
14 certificate of ownership in beneficiary form has been issued.

15 (2) A certificate of ownership in beneficiary form may be
16 revoked or the beneficiary or beneficiaries changed at any time
17 before the death of a sole owner or surviving multiple owner only
18 by the following methods:

19 (a) By a sale of the manufactured home with proper
20 assignment and delivery of the certificate of ownership to
21 another person; or

22 (b) By filing an application to reissue the certificate of
23 ownership with no designation of a beneficiary or with the
24 designation of a different beneficiary or beneficiaries with the
25 director of revenue in proper form and accompanied by the payment

1 of the fee for an original certificate of ownership.

2 (3) The beneficiary's or beneficiaries' interest in the
3 manufactured homes at death of the owner or surviving owner shall
4 be subject to any contract of sale, assignment of ownership or
5 security interest to which the owner or owners of the
6 manufactured home were subject during their lifetime.

7 (4) The designation of a beneficiary or beneficiaries in a
8 certificate of ownership issued in beneficiary form may not be
9 changed or revoked by a will, any other instrument, or a change
10 in circumstances, or otherwise be changed or revoked except as
11 provided by subdivision (2) of this subsection.

12 5. (1) On proof of death of one of the owners of two or
13 more multiple owners, or of a sole owner, surrender of the
14 outstanding certificate of ownership, and on application and
15 payment of the fee for an original certificate of ownership, the
16 director of revenue shall issue a new certificate of ownership
17 for the manufactured home to the surviving owner or owners or, if
18 none, to the surviving beneficiary or beneficiaries, subject to
19 any outstanding security interest; and the current valid
20 certificate of number shall be so transferred. If the surviving
21 beneficiary or beneficiaries makes a request of the director of
22 revenue, the director may allow the beneficiary or beneficiaries
23 to make one assignment of title.

24 (2) The director of revenue may rely on a death certificate
25 or record or report that constitutes prima facie proof or

1 evidence of death under subdivisions (1) and (2) of section
2 472.290, RSMo.

3 (3) The transfer of a manufactured home at death pursuant
4 to this section is not to be considered as testamentary, or to be
5 subject to the requirements of section 473.087, RSMo, or section
6 474.320, RSMo.